IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 25372 of 2004

Between:

1 S. Narasimha Reddy, S/o. Late Sudhakar Reddy,
R/o. Sankalmaddi Village, Addakul Mandal, Mahaboobnagar District.
2 S. Johan Purthra Reddy, S/o. Late Sudhakar Reddy,
R/o. Sankalmaddi Village, Addakul Mandal, Mahaboobnagar District.
3 S. Ranga Reddy, S/o. Late Sudhakar Reddy,
R/o. Sankalmaddi Village, Addakul Mandal, Mahaboobnagar District.

..... PETITIONERS

AND

The Mandal Revenue Officer, Addakul Mandal, Mahaboobnagar District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Order, Writ or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondent in not taking any further steps to pass the orders in file No.B/4130/97 dt. 5-6-1997 filed for regularization of the lands in Sy.No.s 363/1, 363/2, 365, 366, 502/2 and 503 Ac. 1-22 Gts., Ac. 0.38 gts. Ac.1.39 gts Ac. 2.30 gts Ac.9-11 gts., and Ac. 15-34 Gts., total admeasuring Ac. 32-34 gts. situated at Sankalmaddi Village, Addakul Mandal, Mahaboobnagar District, as illegal, arbitrary, unconstitutional and violative of the principles of natural justice and consequently direct the respondent to forthwith act upon the above said file and to issue the Pattadar Pass Books and title deeds in favour of the petitioners in respect of the above said land and to grant such other relief or reliefs.

Counsel for the Petitioners:MR.A.VISHNU VARDHAN REDDY

Counsel for the Respondent.: GP FOR REVENUE

The Court made the following :

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 25372 of 2004

-

ORDER:

The petitioners filed this writ petition aggrieved by the action of the respondent-Mandal Revenue Officer, Mahaboobnagar District in not passing any orders in file No.B/4130/97, dated 5.6.1997 for regularization of the lands in Survey Nos.363/1, 363/2, 365, 366, 502/2 and 503 of an extent of Ac.1.22 guntas, Ac.0.38 gts., Ac.1.39 gts., Ac.2.30gts. Ac.9.11 gts and Ac.15.34 gts., total admeasuring Ac.32.34 gts situated at Sankalmaddi Village, Addakul Mandal, Mahaboobnagar District.

2. The petitioners who are three in number state that their father had purchased the above said lands under a sale deed in the year 1958 and since then, they have been in continuous possession and enjoyment of the same. They stated that on 5.6.1997, they made an application before the respondent under Section 5-A of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 (hereinafter referred to as 'the Act') for making necessary entries and for mutation of their names in the revenue records by regularizing the sale deed, under which they purchased the land in question.

3. The only grievance of the petitioners in this writ petition is that the respondent, who is the competent authority under the provisions of the Act, failed to consider their representation and no orders have been passed so far.

4. The learned Government Pleader does not dispute the fact that the respondent is the competent authority under the provisions of the Act to consider the representation made by the petitioners under Section 5-A of the Act.

5. In the circumstances, without expressing any opinion with regard to the claim made by the petitioners, the writ petition is disposed of with a direction to the respondent to consider the representation made by the petitioners pending in file No.B/4130/97, dated 5.6.1997 and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this Order. No costs.

1st February, 2005

Nn.

Copy to:

1. The Mandal Revenue Officer, Addakul Mandal, Mahaboobnagar District.

2. Two C.Cs for G.P. for Revenue, High Court Buildings, High Court of A.P., Hyderabad (O.U.T.)

3. Two C.D. copies.